

## Message Text

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ORIGIN OPIC-06

INFO OCT-01 AF-10 ISO-00 EB-08 AID-05 TRSE-00 L-03  
COME-00 CIAE-00 INR-10 NSAE-00 /043 R

DRAFTED BY OPIC/GC:AKEESEE  
APPROVED BY AF/W.RGHOUUDEK  
EB/IFD/OIA:DGRANT  
AF/W:DMCELHANEY  
AF/W:DMCELHANEY

-----006603 282250Z /61

P 282027Z JUL 78  
FM SECSTATE WASHDC  
TO AMEMBASSY LOME PRIORITY

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E.O. 11652: N/A

TAGS: EINV

SUBJECT: TAW

REF: (A) STATE 6718; (B) LOME 315

1. OPIC WOULD GREATLY APPRECIATE POST'S FOLLOWING UP ON ATTEMPTS TO OBTAIN DIPNOTE MENTIONED REFTELS. OPIC, NOTING FROM REF B THAT EMBASSY PREVIOUSLY QUERIED FORNMIN JANUARY 27, WOULD HOPE NOTE MAY NOW BE AVAILABLE.

2. OPIC UNDERSTANDS THAT FORNMIN, MINFIN, ETC. MAY BE RELUCTANT TO PROVIDE BLANKET APPROVAL OF ENTIRE TRANSFER TRANSACTION. IF GOT PREFERS TO STATE IN NOTE THAT ELEMENT OF ILLEGALITY INHERED IN TRANSFERS BECAUSE OF FAILURE BY TAW (AS TRANSFEROR RPT TRANSFEROR) TO FOLLOW PROPER PROCEDURES (I.E., OBTAINING PERMISSION FROM MINFIN FOR TRANSFERS  
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TO NON-RESIDENT (I.E., USG)), THAT IS PERFECTLY ACCEPTABLE. NOTE, HOWEVER, SHOULD RECOGNIZE PARTICULAR RIGHTS OF OPIC AS TRANSFEREE RPT TRANSFEREE UNDER USG-GOT BILATERAL AGREEMENT WHICH CLEARLY GIVES USG RIGHT TO RECEIVE LOCAL CURRENCY PAID TO IT IN RESPECT OF OPIC INVESTMENT GUARANTEES AND RIGHT TO USE SUCH CURRENCY TO DEFRAY LOCAL EXPENSES. IN SUM, WHILE NOTE MAY NOT GO SO FAR AS TO STATE THAT TRANSFERS

WERE LEGAL WITH RESPECT TO BOTH USG AND TAW, IT SHOULD AT

LEAST STATE THAT TRANSFERS INVOLVED NO ILLEGAL ACTS BY USG AND (AND THE FOLLOWING IS THE MOST RPT THE MOST IMPORTANT) THAT (1) TO THE EXTENT THE TRANSFERS WERE ILLEGAL, THEY WERE ILLEGAL BECAUSE OF TAW'S FAILURE TO OBTAIN REQUISITE APPROVALS AND THAT (2) SUCH FAILURE NOTWITHSTANDING, THE GOT DOES NOT INTEND TO TAKE ACTION AGAINST, OR LEVY SANCTIONS UPON, TAW OR ITS OFFICERS PROVIDED THAT NO SUCH ILLEGAL ACTS ARE COMMITTED IN THE FUTURE.

3. OPIC APPRECIATES POST'S CONTINUED DILIGENCE AND WOULD BE PLEASED TO RESPOND TO ANY POST QUESTIONS ON THIS MATTER. VANCE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** INVESTMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 28 jul 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE191150  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** AKEESEE  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780310-1102  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1978/newtext/t1978078/aaaaagpz.tel  
**Line Count:** 77  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** c97e6078-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN OPIC  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 6718, 78 LOME 315  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 05 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2068774  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TAW  
**TAGS:** EINV, TO, TAW  
**To:** LOME  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/c97e6078-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
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